

On January 30, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hans V. Jansen, trading as the Jansen Soap & Chemical Co., San Francisco, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about August 24, 1932, from the State of California into the State of Nevada, of a quantity of pine disinfectant which was misbranded.

Analysis showed that the article consisted of soap, water, and pine oil.

The article was alleged to be misbranded in that the statement, "For—Ulcerated Sores, skin diseases", borne on the can label, was a statement regarding the curative and therapeutic effects of the article and was false and fraudulent.

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1378, published under that act.

On September 16, 1935, the defendant entered a plea of guilty, and the court imposed fines on both charges, the fine on the count charging violation of the Food and Drugs Act being \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

24513. Misbranding of Sayman's Healing Salve, Dr. Sayman's Liniment, and Sayman's Vegetable Wonder Soap. U. S. v. T. M. Sayman Products Co. Plea of nolo contendere. Fine, \$1,000 and costs. (F. & D. no. 31493. Sample nos. 13279-A, 13280-A, 13330-A, 13331-A, 13332-A, 16901-A, 16902-A, 17985-A, 43939-A, 50282-A.)

This case was based on interstate shipments of drug preparations the labeling of which contained unwarranted curative and therapeutic claims.

On October 6, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the T. M. Sayman Products Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act as amended, in various consignments between the dates of December 31, 1931, and September 6, 1933, from the State of Missouri into the States of Louisiana, Alabama, Mississippi, Texas, New York, and Ohio of quantities of Sayman's Healing Salve, Dr. Sayman's Liniment, and Sayman's Vegetable Wonder Soap which were misbranded.

Analyses by this Department showed that the salve consisted essentially of boric acid, zinc oxide, and camphor in a petrolatum base; that the liniment contained alcohol, water, chloroform, camphor, sassafras oil, capsicum, ammonium compounds, turpentine, and plant extractives; and that the Vegetable Wonder Soap contained sodium salt of a vegetable oil, water, and a minute amount of perfume.

The information alleged that the articles were misbranded in the following respects: The labeling of the salve contained statements falsely and fraudulently representing that the article was effective as a healing remedy for old sores, sore hands, face and lips, pimples, boils, felons, itching humors, eczema, tetter, salt rheum, ringworm, sore feet, and other conditions where a reliable healing salve is required; effective as an aid in the treatment of chronic old sores and the various forms of skin and scalp diseases, piles, and itching humors of the skin and scalp; effective as a treatment for many forms of skin and scalp diseases, skin blemishes, skin humor, eczema, tetter, rash, pimples, pustules, salt rheum, erythema, scrofulous, indolent, chronic old sores, inflammation, catarrh, bunions, hemorrhoids (piles), and scald head or milk crust in children; effective as a soothing method of relieving piles (hemorrhoids), and many diseases of the rectum; effective as a cure for bleeding, protruding piles; effective as a treatment, remedy, and cure for sores, skin diseases, piles and kindred ailments; effective when used in conjunction with Dr. Sayman's Vegetable Wonder Soap as a successful treatment for skin diseases and old sores, blind, bleeding and itching piles, chronic old sores, sore hands, face and lips, pimples, boils, felons, eczema, tetter, salt rheum, ringworm, catarrh, sore feet, and bunions; effective when used in conjunction with Dr. Sayman's Vegetable Wonder Soap to heal and purify various forms of skin and scalp diseases, old and chronic sores, and numerous other skin troubles; effective when used in conjunction with Dr. Sayman's Vegetable Wonder Soap to remove proud flesh; effective when used in connection with Dr. Sayman's Vegetable Wonder Soap as a cure for sores of any kind; effective when used in conjunction with Dr. Sayman's Vegetable Wonder Soap, as a treatment for skin and scalp diseases, such as eczema, tetter, salt rheum, acne, scald head in children, itch, itching humor of scalp, skin or body, dandruff, chronic old sores,

bleeding or itching piles or pile tumors; effective when used in connection with Dr. Sayman's Vegetable Wonder Soap as a treatment for grease heels, sweat warts, and running sores in horses; effective when used in connection with Dr. Sayman's Glysalin as a treatment for catarrh; effective when used in connection with Dr. Sayman's Glysalin as a treatment for ulceration of the nasal passages, throat, lungs, and stomach; effective when used in conjunction with Dr. Sayman's Wonder Liniment to remove bunions; effective when used in connection with Dr. Sayman's Wonder Liniment as a treatment for lameness, swollen, contracted cords and stiff joints, lacerations and pricks from rusty nails, caked breast, swelling, sore nipples, catarrh and hay fever. The labeling of the liniment contained statements falsely and fraudulently representing that the article was effective as a treatment for muscular rheumatism, lumbago, lameness, lame back, swellings, sciatica, toothache, earache, fever sores, cankered sore mouth, sore nipples, ulcers, sore throat, hoarseness, bronchial cough, whooping cough, diarrhoea, dysentery, bloody flux, cholera morbus, and painters' colic; effective as a relief for coughs, hoarseness, soreness and tightness in chest, difficult breathing, sore throat, croup, muscular rheumatism, lumbago, lame back, pains in the side and back, stiff joints, stiff neck, earache, toothache, cholera morbus, diarrhoea, cramps, caked breast, sore nipples, acute pleurisy and sciatica; effective to relieve pain; effective to prevent swelling in fresh cuts, wounds and scratches; effective as a treatment for catarrh, ulceration of the nasal passages, throat, lungs and stomach and hay fever; effective as possessing healing properties of great power, to act upon the nervous system, to allay pain, to subdue inflammation, congestion and swelling; to penetrate to the seat of the predisposing cause, and to assist in bringing about permanent and radical relief in cases of rheumatism, lameness, ulcers, fever sores, sore eyes, cankered sore mouth, sore nipples, sore throat, coughs, hoarseness, whooping cough, catarrh, toothache, earache, catarrhal deafness, cramps, colic, cholera morbus, painters' colic, lame back, inflammation of the kidneys, retention of urine, diarrhoea, dysentery, bloody flux, and swellings; effective as a treatment, remedy, and cure for colic in horses; effective to penetrate to the seat of the difficulty and increase circulation; effective to draw out deep-seated pain; effective as a treatment, remedy, and cure for rheumatism, toothache, lameness, pain in the back and sides, inflammation of the kidneys, deep-seated colds and enlarged spleen; effective as a treatment for pleurisy, swollen, contracted cords, stiff joints, pin scratches, lacerations, and pricks from rusty nails, inflammation of the kidneys, painful menstruation, croup, cramps, colic, stomach pains, caked breast, swelling, sore nipples, deafness, enlarged spleen, wounds of any kind, bites of insects, reptiles and dogs, sudden attacks of dysentery, diarrhoea, cramps, colic or pain in the stomach, and rheumatic ailments; effective as a relief for earache and catarrh, and to reduce inflammation, swelling and congestion; effective as a treatment for colic or stomach ache, retention of urine and kidney trouble in horses; effective as a means of relieving suffering humanity and to save life and limb; effective as an antidote for spider poison; effective as a treatment for consumption and la grippe; and effective as a treatment for aches and pains. The labeling of the Vegetable Wonder Soap contained statements falsely and fraudulently representing that the article was effective when used in connection with Sayman's Healing Salve as a valuable treatment in many cases of old sores, eczema, acne, scald head (or milk crust), sore hands and face and many humors of the skin and scalp; effective when used in conjunction with Dr. Sayman's Healing Salve as a treatment, remedy, and cure for cutaneous, indolent or old sores, eczema, tetter, acne, barber's itch, scald head (or milk crust), sore hands or face and torturing or itching humors of the skin or scalp; effective as invigorating; and effective to insure sound, refreshing sleep, and to produce natural health and a vigorous growth of the child; effective as an aid in restoring the scalp to a healthy condition; effective when used in connection with Sayman's Salve as a quick relief from piles; effective to insure a healthy normal condition of the skin and a clear healthy skin; effective when used in connection with Sayman's Salve as a cure for sores about the face, neck, ears and mouth and for running sore ear; effective when used in connection with Sayman's Salve as a treatment for skin diseases; effective when used in conjunction with Sayman's Healing Salve as a treatment for skin and scalp diseases, such as eczema, tetter, salt rheum, acne, scald head in children, itch, itching humors of scalp, skin or body, dandruff, chronic old sores, and bleeding or itching piles; effective to stimulate the skin to healthy

action; effective to allay itching humors of the scalp; effective to remove all the germ-laden coating from the tongue; and effective to insure a healthy mouth; effective when used in connection with Sayman's Healing Salve as a treatment, remedy and cure for tetter, pimples, old sores, all forms of scalp and skin diseases, piles, itching piles, pile tumors, and aching feet; effective to insure healthy skin in dogs and other pets; and effective when used in connection with Sayman's Healing Salve as a treatment, remedy, and cure for grease heels, sweat warts, and running sores in horses.

On March 16, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$1,000 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

24514. Adulteration and misbranding of Epsom salt tablets. U. S. v. Martin Gottsegen, Harry Gottsegen, and Alfred Gottsegen (Universal Merchandise Co.). Pleas of guilty. Fines, \$50. (F. & D. no. 31523. Sample nos. 42923-A, 42924-A, 43166-A, 43167-A.)

This case was based on interstate shipments of drug tablets which were labeled to convey the impression that they were Epsom salt tablets prepared in accordance with the requirements of the United States Pharmacopoeia. The article was adulterated and misbranded because it contained added phenolphthalein and was further misbranded since there is no standard of quality for Epsom salt tablets in the pharmacopoeia.

On May 24, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Martin Gottsegen, Harry Gottsegen, and Alfred Gottsegen, copartners trading as the Universal Merchandise Co., Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about May 4 and July 1, 1933, from the State of Illinois into the State of New York of quantities of Epsom salt tablets which were adulterated and misbranded. The article was labeled in part: (Display card) "Gold Seal [or "Tip Top"] Epsom Salt Tablets * * * U. S. P. Standard Quality"; (envelope) "contains $\frac{1}{4}$ Grain of Phenolphthalein."

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be Epsom salt tablets, namely, a product composed exclusively of Epsom salt, and it was represented to conform to the standard of quality laid down in the United States Pharmacopoeia; whereas it did not consist exclusively of Epsom salt, but did consist in part of phenolphthalein, and there is no standard of quality for Epsom salt tablets laid down in the United States Pharmacopoeia.

Misbranding was alleged for the reason that the statement "U. S. P. Standard Quality", borne on a display carton shipped with the article, and the statement "Epsom Salt Tablets", borne on the display carton and on the envelope enclosing the article, were false and misleading in that they represented that the article was Epsom salt tablets, namely, a product composed exclusively of Epsom salt, and that it conformed to the standard of quality laid down in the United States Pharmacopoeia, whereas it did not consist exclusively of Epsom salt but did consist in part of phenolphthalein, and there is no standard of quality for Epsom salt tablets laid down in the pharmacopoeia.

On March 28, 1935, the defendants entered pleas of guilty and the court imposed fines totaling \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*

24515. Misbranding of J-W-D Blood Purifier. U. S. v. James W. Dorman (Dorman Chemical Co.). Plea of guilty. Defendant fined \$100 and placed on probation for 18 months. (F. & D. no. 32143. Sample no. 39848-A.)

This case was based on the interstate shipment of a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On July 31, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against James W. Dorman, trading as the Dorman Chemical Co., Concord, N. C., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about June 1, 1933, from the State of North Carolina into the State of Georgia of a quantity of J-W-D Blood Purifier which was misbranded. Enclosed in each package of the product was a bottle containing a liquid, an envelope containing white pills, and a tin box containing blue pills and gelatin capsules.